

PATENT COOPERATION TREATY

REC'D 22 MAR 2005

WIPO

PCT

PCT

10/537144

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference OPP021545KR	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR 2002/002461	International filing date (day/month/year) 27 December 2002 (27.12.2002)	Priority Date (day/month/year) 2 December 2002 (02.12.2002)
International Patent Classification (IPC) or national classification and IPC IPC ⁷ : H04Q 7/38, H04L 12/28		
Applicant ELECTRONICS AND TELECOMMUNICATIONS RESEARCH INSTITUTE et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examination Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I. ☒ Basis of the opinion
- II. ☒ Priority
- III. ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV. ☐ Lack of unity of invention
- V. ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI. ☐ Certain documents cited
- VII. ☒ Certain defects in the international application
- VIII. ☐ Certain observations on the international application

Date of submission of the demand 16.04.2003	Date of completion of this report 7 March 2005 (07.03.2005)
Name and mailing address of the IPEA/AT Austrian Patent Office Dresdner Straße 87 A-1200 Vienna Facsimile No. 1/53424/200	Authorized officer LOIBNER K. Telephone No. 1/53424/323

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR 2002/002461

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement) under Article 19

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the drawings:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____.

☐ the claims, Nos. _____.

☐ the drawings, sheets/fig _____.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as „originally filed“ and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR 02/02461

II. Priority

1. ☒ This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
- ☒ copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
 - ☒ translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. ☐ This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1).

Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/KR 2002/002461

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
1. Statement	Novelty (N)	Claims 8, 9	YES
		Claims 1-7,10	NO
Inventive step (IS)		Claims 8,9	YES
		Claims 1-7,10	NO
Industrial applicability (IA)		Claims 1-10	YES
		Claims ----	NO

Citations and explanations (Rule 70.7)

This Examination Report is based on the Written Opinion of 12 September 2003 (12.09.2003), because no response to said Written Opinion was submitted within the given time limit.

The following documents have been cited in the Search Report:

D1: WO 2002/0093955 A1
D2: WO 2002/039759 A2
D3: US 2002/0184331A1

A mobile device comprising a transceiver which can either be tuned to a non preferred first network (eg. Wireless Wide Area Network W-WAN) or to a preferred second network (eg. Wireless Local Area Network W-LAN) is presented in document D1. Said mobile device performs an intelligent inter-system handoff from the first network to a less expensive, higher speed second network, when said preferred second network is available. It is obvious that, as with dual-mode operation, a mobile device must scan for, e.g. the beacon signal of a W-LAN access point, in order to find the preferred communication network.

In order to conserve battery power and to limit the need to constantly scan for each of the plurality of systems it is suggested according to the teaching of this document to utilize information concerning which networks are within range of the mobile device. Thus, the mobile device will only scan for a preferred network if said mobile device is located within the range of said second network.

To accomplish this task, the mobile device further comprises a GPS receiver to determine its position and a storage unit for storing a table containing information of the coverage areas of the networks. The mobile device then only scans for a particular network if the data stored in the table indicates that the mobile device is within the current coverage area of said particular network, see especially document D1, paragraphs [062], [086] and [087]. With respect to the teaching of document D1 the subject matter of independent claims 1 and 6 cannot therefore considered to be novel as the same features are applied for the same purpose.

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: **Box V (page 1)**

Dependent claims 2 to 5 do not include any additional features which in conjunction with the features of any of the claims to which they refer back, might constitute involving an inventive step since according to the teaching of document D1 a table is used which stores information of the coverage area of the available networks. Document D1 does not reveal how the information of said coverage area is stored in the table. However, it is obvious for a skilled person, that for a relative simple estimation of the geographic extension of a coverage area the position of the base transmitter and its service radius are sufficient and for more complex coverage areas polygonal data describing said coverage area are needed. Furthermore the table stored at the mobile device can also be loaded and updated over the air (claims 4 and 5) and can also be uploaded from a server in the Internet (claim 8) in order to maintain the stored information to represent the current network configuration and its coverage areas.

In the view of the foregoing explanation also the additional features introduced in dependent claims 7 and 10 are likewise not inventive, because said features are merely developments of the method defined in claim 6 which are either directly derivable in principle from document D1 or represent possible variations that are generally known to those working in the field of information transmission.

Furthermore, document D2, relating to a method and system for selecting access points for a communication device, provides further evidence that the features of at least independent claim 1 are already known.

The United States Patent Application Publication US 2002/0184331 A1, published on 5 December 2002 (05.12.02) and priority date of 30 May 2001 (30.05.01) constitutes written disclosures made available to the public after the claimed priority date but before the international filing date of the present application. Consequently, document D3 has been published within the meaning of Rule 64.1 on or after the priority claimed and before the international filing date of the present application.

As this report has been established as if no priority had been claimed (see also Box II) the relevant date for the purpose of considering prior art as defined in Rule 64.1(b) is the international filing date of 27 December 2002 (27.12.2002). As said document D3 has been published prior said relevant date it is considered as being part of the prior art for the purpose of international preliminary examination as to novelty and inventive step.

Document D3, discloses in line with essential features of claims 1, 2, 5 to 7 and 10 a system and method for locating resources available to portable electronics devices which are enabled for short range wireless communications, wherein an access location database accessible via the portable electronic device is consulted in order to determine the locations of access points in order to gain access to various resources.

Consequently, document D3 provides further evidence that the essential features according to claims 1, 2, 5 to 7 and 10 are not new.

Industrial applicability is given.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/KR 2002/002461

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. In order to meet the requirements of PCT Rule 5.1 (a) (ii), the description should have cited documents D1 to D3, which disclose prior art that is relevant to the present invention, and should have briefly outlined said relevant prior art.
2. In order to meet the requirements of PCT Rule 6.3 (b), each independent claim should have been, whenever appropriate, clearly delimited in relation to the closest prior art using the two-part form.
3. The features of all the claims should have been followed by reference signs in parentheses (PCT Rule 6.2 (b)).